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9 AMCO INSURANCE COMPANY10  
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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

11 CHRISTINE DOUGHERTY,	) CASE NO. C 07-01140 MHP
12 Plaintiff,	) DECLARATION OF JULIAN J. PARDINI,
13 v.	) ESQ., IN SUPPORT OF AMCO'S
14 AMCO INSURANCE COMPANY, and DOES	) OPPOSITION TO PLAINTIFF'S MOTION
15 ONE through TWENTY, Inclusive,	) TO ENLARGE TIME FOR MOTION FOR
16 Defendant.	) SUMMARY ADJUDICATION [sic]
) Dept.: 15 — Hon. Marilyn Hall Patel	

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I, Julian J. Pardini, declare:

1. I am an attorney at law, duly licensed to practice before all courts of the State of California, as well as the United States District Court, Northern District of California, and, as a partner in the law firm of Lewis Brisbois Bisgaard & Smith, LLP, am one of the attorneys of record for AMCO Insurance Company (“AMCO”), the defendant in the above-referenced litigation. I make this declaration in support of AMCO’s Opposition to the Motion to Enlarge the Time to File a Motion for Summary Adjudication [sic] of Plaintiff Christine Dougherty (“Plaintiff”). I have personal knowledge of the matters set forth herein and, if called upon, could and would testify competently thereto.

2. Attached hereto and marked **Exhibit 1** is a true and correct copy of the Court’s minute order following the initial case management conference, which the Court convened on July 9, 2007. This minute order appears in the Court’s docket as Item #28.

1       3. Attached hereto and marked **Exhibit 2** is a true and correct copy of the Court's  
2 minute order following the further case management conference that the Court convened on  
3 November 5, 2007. This minute order appears in the Court's docket as Item #34.

4       4. Attached hereto and marked **Exhibit 3** is a true and correct copy of the Court's  
5 order dated January 24, 2008, which appears in the Court's docket as Item #38.

6       5. Attached hereto and marked **Exhibit 4** is a true and correct copy of the Court's  
7 order dated February 26, 2008, whereby the Court accepted the parties' stipulation regarding  
8 various deadlines. This order appears in the Court's docket as Item #44.

9  
10      I declare under penalty of perjury that the foregoing is true and correct and that this  
11 declaration was executed this 7th day of May, 2008, at San Francisco, California.

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/s/ Julian J. Pardini

Julian J. Pardini

# **Exhibit 1**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**CIVIL PRETRIAL MINUTES**

Date: July 9, 2007

Case No. C 07-1140 MHP Judge: MARILYN H. PATEL

Title: CHRISTINE DOUGHERTY -v- AMCO INSURANCE COMPANY

Attorneys: Plf: David Porter, Steven Murphy  
Dft: Julian Pardini

Deputy Clerk: Anthony Bowser Court Reporter: Sahar McVicker

**PROCEEDINGS**

- 1) Case Management Conference
- 2) \_\_\_\_\_
- 3) \_\_\_\_\_

**ORDERED AFTER HEARING:**

Underlying claims discussed; Counsel stipulate to private mediation, to be completed within the next 90 days; Pending motion for summary judgment not to be heard by court at this time; Depositions limited to one/side prior to mediation;

A further Status Conference set for 11/5/2007 at 3:00 pm, with a joint status report to be filed one week prior.

7/10/07F

## **Exhibit 2**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**CIVIL PRETRIAL MINUTES**

Date: November 5, 2007

Case No. C 07-1140 MHP

Judge: MARILYN H. PATEL

Title: CHRISTINE DOUGHERTY -v- AMCO INSURANCE COMPANY

Attorneys: Plf: Jeremy Graham  
Dft: Julian Pardini

Deputy Clerk: Anthony Bowser Court Reporter: Katherine Powell

**PROCEEDINGS**

- 1) Status Conference
- 2) \_\_\_\_\_
- 3) \_\_\_\_\_

**ORDERED AFTER HEARING:**

Mediation attended, but not yet successful; Discovery limited to prior to summary judgment motion(s), to be completed within 90 days; Defendant may file summary judgment motions (3/10/2008); Court instructs plaintiff to turn over 3<sup>rd</sup> party communications requested;

# **Exhibit 3**

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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CHRISTINE DOUGHERTY,

Plaintiff(s),

vs.

AMCO INSURANCE COMPANY,

Defendant(s).

Case No.07-1140 MHP

**ORDER RE MOTION**

On June 22, 2007, defendant filed a motion for summary judgment which has been continued for the purpose of completing further discovery. Pursuant to the minute order dated November 5, 2007, discovery completion is set for February 4, 2008 and summary judgment motions shall be filed on or before March 10, 2008. Therefore, the current motion is deemed withdrawn and the application to continue is moot. If and when defendant files its summary judgment motion it may resubmit the same papers or new moving papers.

Accordingly, the motions bearing docket ##11 and 21 are deemed withdrawn or mooted by the court's minute order dated November 5, 2007, and the Clerk of Court shall correct the docket to so show.

IT IS SO ORDERED.

Date: January 24, 2008

  
MARILYN HALL PATEL  
Judge, United States District Court  
Northern District of California

# **Exhibit 4**

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9  
10 Attorneys for Defendant ALLIED PROPERTY  
11 AND CASUALTY INSURANCE COMPANY

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13  
14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA (San Francisco)

16 CHRISTINE DOUGHERTY,

17 } CASE NO. C 07-01140 MHP  
18 } E-FILING

19 Plaintiff,

20 }  
21 } STIPULATION AND PROPOSED ORDER  
22 } RE EXTENDING DEADLINE FOR  
23 } COMPLETING LIMITED DISCOVERY  
24 } PRIOR TO MOTION FOR SUMMARY  
25 } JUDGMENT

26 v.  
27 AMCO INSURANCE COMPANY, and DOES  
28 ONE through TWENTY, Inclusive,

29 } Action Filed: 1/24/07  
30 } Removed to USDC: 2/26/07

31 Defendant.

32 Plaintiff CHRISTINE DOUGHERTY and Defendant AMCO INSURANCE COMPANY,  
33 by and through their undersigned counsel, hereby jointly stipulate to and request the Court agree to  
34 continue the deadlines for completion of discovery for the purpose of motions for summary  
35 judgment and for filing motions for summary judgment.

36 The parties attended a Status Conference on November 5, 2007, and the Court  
37 subsequently issued a Minute Order. On January 24, 2008, this Court issued an Order  
38 memorializing its Minute Order, as follows:

39 / / /

40 4813-2002-5794.1

41 CERTIFICATE OF SERVICE  
42 C07-01140 MHP

• **Last Day for Completion of Discovery for the Purpose of Motions for Summary Judgment** February 4, 2008

• **Last Day to File Motions for Summary Judgment** **March 10, 2008**

(See Court's Order dated January 24, 2008, attached hereto as Exhibit "A".)

5 Pursuant to the Court's Minute Order, on January 4, 2008 Plaintiff served on AMCO by  
6 mail a notice of taking deposition of AMCO's person most knowledgeable on nine different  
7 topics. AMCO's counsel has attempted to locate and identify the witnesses who qualify as the  
8 person most knowledgeable on these topics, including those related to the Colossus program, but  
9 has experienced some difficulty in locating all of the witnesses to produce for deposition. Part of  
10 the delay has been caused by the circumstance that AMCO and its related companies stopped  
11 using the Colossus program in August of 2005, and thus locating any related documents and  
12 identifying the individuals still employed by AMCO who have significant knowledge of the  
13 Colossus program has been difficult and has taken longer than anticipated.

14 That search was just recently completed and the witness with regard to the Colossus  
15 program who was identified is located out of state. AMCO expects to be in a position to produce  
16 for deposition that witness, as well as the witnesses responsive to the other identified topics, in the  
17 next three weeks.

18 Therefore, given the efforts of AMCO to identify and locate the witnesses appropriate to  
19 produce in response to Plaintiff's notice of taking deposition, and the delay in completing that  
20 effort until recently, the parties jointly stipulate and request the Court to continue the deadlines for  
21 completion of discovery for the purpose of motions for summary judgment and for filing motions  
22 for summary judgment.

23 Therefore, the parties agree and stipulate to the following, subject to the Court's approval:

24 1. The deadlines for completion of discovery for the purpose of motions for summary  
25 judgment and for filing motions for summary judgment, as set forth in this Court's Order dated  
26 January 24, 2008, is vacated.

27 2. The deadline for completion of discovery for the purpose of motions for summary  
28 judgment is set for March 10, 2008.

3. The deadline for filing motions for summary judgment is set for March 24, 2008.

Respectfully submitted,

4 | DATED: February 13, 2008

**LAW OFFICES OF STEPHEN M. MURPHY**

By

STEPHEN M. MURPHY  
JEREMY A. GRAHAM  
Attorneys for Plaintiff  
CHRISTINE DOUGHERTY

10 DATED: February 2008

LEWIS BRISBOIS BISGAARD & SMITH LLP

Bv

**JULIAN J. PARDINI**  
Attorneys for Defendant  
**AMCO INSURANCE COMPANY**

## ORDER

17 Pursuant to the above stipulated request of the parties for an order continuing certain  
18 discovery deadlines.

19 IT IS HEREBY ORDERED that:

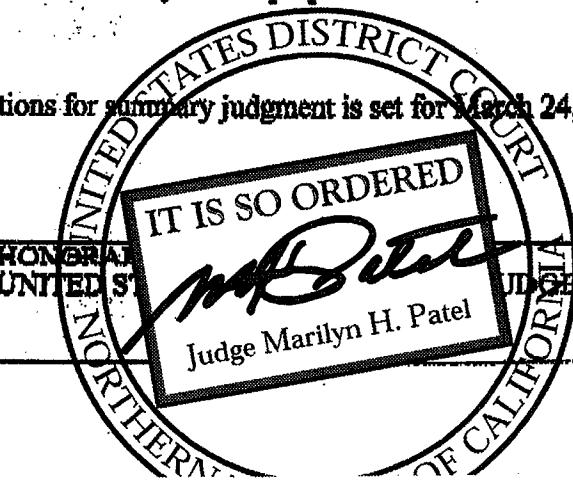
1. The deadlines for completion of discovery for the purpose of motions for  
summary judgment and for filing motions for summary judgment, as set forth in this Court's Order  
dated January 24, 2008, is vacated.

23       2. The deadline for completion of discovery for the purpose of motions for summary  
24 judgment is set for March 10, 2008.

3. The deadline for filing motions for summary judgment is set for March 24, 2008.

26 DATED: February 26, 2008

4813-2982-5794.1  
**CERTIFICATE OF SERVICE**  
**C07-01140 MHP**



1                   3. The deadline for filing motions for summary judgment is set for March 24, 2008.  
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3                   Respectfully submitted,  
4                   DATED: February   , 2008                   LAW OFFICES OF STEPHEN M. MURPHY  
5

6                   By

7                   

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8                   STEPHEN M. MURPHY  
9                   JEREMY A. GRAHAM  
10                  Attorneys for Plaintiff  
11                  CHRISTINE DOUGHERTY  
12

13                  DATED: February 11, 2008                   LEWIS BRISBOIS BISGAARD & SMITH LLP  
14

15                  By

16                  

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17                  JULIAN J. PARDINI  
18                  Attorneys for Defendant  
19                  AMCO INSURANCE COMPANY  
20

21                  **ORDER**

22                  Pursuant to the above stipulated request of the parties for an order continuing certain  
23                  discovery deadlines,

24                  **IT IS HEREBY ORDERED** that:

25                  1. The deadlines for completion of discovery for the purpose of motions for  
26                  summary judgment and for filing motions for summary judgment, as set forth in this Court's Order  
27                  dated January 24, 2008, is vacated.

28                  2. The deadline for completion of discovery for the purpose of motions for summary  
29                  judgment is set for March 10, 2008.

30                  3. The deadline for filing motions for summary judgment is set for March 24, 2008.

31                  DATED: February   , 2008  
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34                  HONORABLE MARILYN H. PATEL  
35                  UNITED STATES DISTRICT COURT JUDGE  
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